

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FRANCISCO VASQUEZ, ET AL.,

NO. CV 11-01701 EJD

Plaintiff(s),

v.

HOME LOAN SERVICES INC.,

Defendant(s).

**ORDER TERMINATING: (1)
APPLICATION FOR DEFAULT
JUDGMENT; (2) CONSENT TO
PROCEED BEFORE MAGISTRATE
JUDGE; (3) REQUEST TO HAVE PACER
NUMBER ASSIGNED; AND (4) MOTION
OPPOSING OBJECTION**

On July 12, 2011, the Court dismissed this case without prejudice and directed the clerk to close the file. (See Docket Item No. 27, hereafter “Dismissal”.) That same day, the clerk of the court terminated and closed the case. (See Docket.)

Despite the Court’s Dismissal and closure of the case, Plaintiffs filed the following documents before the Court, requesting various forms of relief:

Filing Date	Docket Item No.	Title of Motion
07/20/2011	33	Default Judgment as to defendant Kathleen Jackson by Francisco Vasquez, Jose Vasquez
09/07/2011	50	Consent to Proceed Before a US Magistrate Judge and [Proposed] Order
09/07/2011	51	Letter from Francisco Vasquez requesting court to intervene to consider having the pacer assigned

09/07/2011	52	Motion opposing the Objection dated 9/6/11 to subpoena to produce documents
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The Court considers this case closed as of July 12, 2011. Thus, the Court will terminate all motions or other requests for relief unless and until this case is re-opened by further order of this Court or the Court of Appeals.¹

Each of Plaintiffs' pending requests for relief was untimely filed *after* this case was dismissed and closed, and is therefore improperly before the Court. Accordingly, the Court:

1) TERMINATES Default Judgment as to defendant Kathleen Jackson by Francisco Vasquez, Jose Vasquez (Docket Item No. 33);

2) TERMINATES Consent to Proceed Before a US Magistrate Judge and [Proposed] Order (Docket Item No. 50);

3) TERMINATES Letter from Francisco Vasquez requesting court to intervene to consider having the pacer assigned (Docket Item No. 51); and

4) TERMINATES Motion opposing the Objection dated 9/6/11 to subpoena to produce documents (Docket Item No. 52).

IT IS SO ORDERED.

Dated: September 13, 2011


EDWARD J. DAVILA
United States District Judge

¹ On July 13, 2011 and August 11, 2011, Plaintiffs filed Notices of Appeal regarding the Court's Dismissal. (See Docket Item Nos. 28 and 42.)